

Application No.: 09/691352

Case No.: 55126US002

Remarks

Claims 1-19, 26-31, 35 and 47-42 were pending. Claims 1, 12-19, 30-31 and 38 have been canceled. Claims 2-11, 26 and 35 are currently amended. Support for these amendments can be found, for example, in original Claim 1.

§ 103 Rejections

Claims 1-19, 26, 27, 28, 29, 30, 31, 35 and 37-39 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent Number 5,783,303 to Tsuei ("Tsuei"). Claims 1, 12-19, 30-31 and 38 have been canceled. The Examiner states that Tsuei discloses an article with a plurality of ceramic granules bonded to a polymeric film by a radiation curable aliphatic urethane acrylic copolymer. The Applicant maintains that the element of a ceramic coated granule is not taught in Tsuei.

However, in order to expedite the present application, Applicants have amended the present claims to recite that the film is bonded to a roofing substrate. Tsuei fails to teach such a limitation. In addition, nothing in Tsuei would motivate one of skill in the art to place the product on a roofing substrate.

The rejection of claims 2-11, 26, 27, 28, 29, 35, 37 and 39 under 35 USC § 103(a) as being unpatentable over Tsuei has also been overcome and should be withdrawn.

§ 102 Rejections

Claims 1, 10, 12, 16, 26, 27, 28, 35 and 37-42 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Number 5,484,477 to George et al. ("George"). Claims 1, 12-19, 30-31 and 38 have been canceled. The Examiner states that George discloses an integrated granule product made with ceramic-coated slate based granules, and the granules are adhered to the asphalt surface of a shingle by a thin film coating. Additionally, the Examiner states that the thin film includes an adhesion promoter.

Applicant has argued that George fails to teach a film. The Examiner has responded by stating that the silicone resin is a cured material because resins are used in plastics, and plastics are cured films. Nothing in George suggests that this resin is used in a cured plastic. Resins are components of many cured materials, but are not automatically cured materials. There is no

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teaching or suggestion in George to create a separate film. In fact, George fails to teach or suggest curing or solidifying the oil coating on the granules at all, much less to solidify them as a separate film.

The rejection of claims 1, 10, 12, 16, 26, 27, 28, 35 and 37-42 under 35 USC § 102(b) as being anticipated by George has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

November 4, 2004

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